

Board of Supervisors Development Process Committee

December 12, 2017

Government Center Conference Room 11

Board of Supervisors (Board) Members Present:

Sharon Bulova, Chairman
Penelope Gross, Mason District (Vice Chairman)
John Cook, Braddock District
John Foust, Dranesville District
Pat Herrity, Springfield District
Jeff McKay, Lee District
Catherine Hudgins, Hunter Mill District
Kathy Smith, Sully District (Committee Chair)
Linda Smyth, Providence District
Dan Storck, Mount Vernon District

The Development Process Committee (Committee) meeting was called to order at 10:03 a.m.

Zoning Ordinance Modernization project Signs Amendment:

Barbara Byron, Director, Office of Community Revitalization (OCR), introduced Drew Hushour, Deputy Zoning Administrator, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ) to discuss amending the sign regulations of the Zoning Ordinance. Staff also in attendance were Fred Selden, Director, DPZ; Leslie Johnson, Zoning Administrator, DPZ; and David Stoner, Deputy County Attorney.

Drew Hushour presented a recap of recent activity for the development of the changes to the sign regulations that are necessary to create content neutral regulations, in response to the Gilbert Supreme Court decision. Staff is continuing with outreach, and have distributed a working draft of the proposed changes. The two areas of consideration are temporary signs for non-residential uses and yards signs, and freestanding signs in residential districts.

Discussion ensued regarding the nature and scope of the proposed regulations, including the location, size, number and duration of temporary signs, commercial banners, yard, and electronic (moveable text) signs, as well as the enforcement of the provisions. The Committee ask about the amount of outreach to the local chambers of commerce, and about the constraints to be “content neutral” that are the result of the Gilbert Supreme Court decision. It was requested that the County Attorney provide an opinion concerning the possible regulation of temporary event signs.

Staff will to meet with stakeholder groups, continue to refine the working draft of the proposed amendment, and provide additional details of the court decision. Staff will return to the Committee at a future meeting for further discussion.

Zoning Ordinance Amendment Regarding Short-Term Lodging (Rentals):

Lily Yegazu, Senior Planner, Department of Planning and Zoning (DPZ) presented an update on the status of the proposed Short-Term Lodging (STL) Zoning Ordinance Amendment and sought specific guidance on topics that would define the scope of the advertisement of the Amendment. Staff also in attendance were Fred Selden, Director, DPZ; Leslie Johnson, Zoning Administrator, DPZ; and Donna Pesto, Deputy Zoning Administrator, DPZ.

Ms. Yegazu provided a recap of the outreach efforts to date and an update on the timeline for the proposed amendment. She briefly introduced a new model of STL use that would address different land use considerations than what has been discussed at previous meetings. Specifically, the model will address multiple or aggregated STL in a rental multiple family dwelling unit building when operated by corporation, business or other commercial property management entity. Ms. Yegazu indicated this model will be brought back to the Committee at the January 30, 2018, meeting after discussions and soliciting feedback from the Planning Commission's Land Use Process Review committee on January 17, 2018, and meetings with industry.

Based on the feedback provided at the October 3, 2017, meeting, Ms. Yegazu presented a strawman of the proposed provisions relating to owner/renter operated STLs and sought specific direction from the Committee Members. There was general support for the authorized agent requirement included in the proposal and a requirement for the authorized agent to be available at all times during the rental period (24/7). Limits on the number of rental days were recommended to not exceed 90 days per year but without the operator being required to be present during the entire rental period and provided the authorized agent is available. There was continued support for the primary residency requirement. Furthermore, the Committee Members recommended that the occupancy limit for each unit used for STL be consistent with existing limitations in the Zoning Ordinance, Building and/or Fire Code. It was also recommended that there be a means to allow neighbors to identify if an adjacent property is used as a short-term lodging.

Community Council on Land Use Engagement:

Chase Suddith, Office of the County Executive, presented proposed actions to address recommendations from the Community Council on Land Use Engagement Report.

Chairman Bulova created the Community Council on Land Use Engagement in January 2017 to produce a set of recommendations to improve Fairfax County's public outreach and community engagement in the land use development process. The Community Council reached consensus on 23 recommendations which fell into three main categories: Communication, Engagement, and Education. The Board accepted the report and directed staff to develop a work plan for implementing or addressing the recommendations and to return to the Board with an implementation plan for their consideration.

Staff presented the Board with five proposed actions to respond to the Community Council's recommendations, which were detailed in the memorandum and PowerPoint given to the Board. The Board discussed staff's recommendations, were not supportive of dedicating new resources, and staff offered to revisit the proposed actions to determine which could be absorbed in existing resources. Staff will evaluate resources and return to a future Development Process Committee with a revised action plan.

Unit Price Schedule:

Ellie Coddling, Director, Code Development and Compliance Division, Land Development Services, presented an abbreviated summary of proposed changes to the Comprehensive Unit Price Schedule (UPS). The UPS lists bond amounts for the installation of public improvements that must be posted by developers as part of the plan approval. In response to industry and Fairfax First workgroup requests, staff proposes streamlining the UPS, to consolidate, remove duplicate items and simplify the UPS. With the concurrence of the Committee, staff will prepare an action item for Board approval at the February or March 2018 Board meeting.

The Committee meeting adjourned at 12:17 p.m.

The next scheduled Development Process Committee meeting is January 30, 2018, at 11:00 a.m.